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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,061	05/31/2001	Dean Tan	50277-1510	4009

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EXAMINER	
BLACK, LINH	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/873,061	TAN ET AL.	
	Examiner	Art Unit	
	LINH BLACK	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *See Continuation Sheet* is/are pending in the application.

4a) Of the above claim(s) *1,4,14-16,26,29 and 39-41* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-3, 5-13, 17-25, 27-28, 30-38, 42-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20050121*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 2-3, 5-13, 17-25, 27-28, 30-38, 42-53 (Claims 1, 4, 14-16, 26, 29, 39-41are cancelled).

DETAILED ACTION

1. This communication is responsive to the Applicants' Amendment, the document dated 12/16/04. Claims 1,4,14-16,26,29 and 39-41 have been cancelled. Claims 2, 5, 8, 10, 12, 13, 17-18, 21, 23, 24, 30, 35, 37, 38, 42, 43, 46, 49 have been amended. Claims 2, 17, 27, 42, 51 are independent.

2. No response/amendment has been received regarding the drawings' objection in the non-final office action dated 2/2/04. The objection is still stand.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-3, 6-13, 17-18, 20-25, 27-28, 31-38, 42-43, 45-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (USP 6185587), and further in view of Bowman-Amuah (US 2003/0058277).

3. As per independent claims 2 and 27, Bernardo et al. teaches:

"a method of building a web site" – the title; col. 1, lines 25-30.

presenting a user with a series of one or more user interfaces including controls for modifying a template that defines a first arrangement of components for a template web site – col. 8, line 34 to col. 9, line 18. (Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one); col. 7, lines 1-66.

receiving input from the user in response to user interaction with the controls on the series of one or more interfaces - figs. 4-11 (interfaces where a user can select options, the system will then use the user's chosen options to further the process of creating user's web site); col. 7, line 43 to col. 18, line 44.

creating a user site file holding data indicating a modified arrangement of components based on the input from the user - figs. 3-5; col. 7, lines 10-61; col. 9, lines 5- 67; (Bernardo et al. teach: "At step 8, a site creator may select the desired features/options." – lines 43-44; "At step 12, the tool identifies which templates in a library of stored templates are associated with the features/options selected in step(s) 8. Upon identification of the associated templates, the tool may determine certain fields (required or desired) relevant to completing each template." – col. 7, lines 55-57. Thus, Examiner interprets "a user site file" as a template that associated with Web-site creator's chosen options.)

causing a web site building component to automatically build the web site based on the user site file, wherein the web site building component builds the web site by performing the steps of: calling routines to create, within a database, database objects for storing and retrieving properties of components, of the web site, that are specified in the user site file - col. 7, line 55 to col. 8, line 32; col. 9, lines 5-29; col. 10, lines 25-59.

calling routines to load information from the user site file into said database objects, and executing a routine to form one of the web site pages based on the database objects in response to receiving a request for the page – col. 7, line 55 to col. 8, line 32.

However, Bernardo et al. do not explicit suggest XML file/ template using XML. Bowman-Amuah teaches dynamic web pages, web sites can be created – paragraphs 0256 and 0735; using XML, HTML in generating web pages – pars. 0708-0716. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bernardo et al.'s teaching with the well-known XML in order to have XML's advantages such as XML enables data interchange and is platform and application independent; precision search and retrieval including vertical and horizontal information navigation paths.

4. As per claims 3 and 28, Bernardo et al. teach "the templates may comprise a database storing profiles, fields, forms, views, text, formulas, and other items." – col. 10, lines 27-29. Bernardo et al. also teach the creation or modification of templates

– col. 4, lines 21-25; col. 11, lines 14-18. Since, the templates may comprise a database to store related objects, when new templates are created, at least a new database is created to store related objects.

5. As per claims 6, 20, 31, and 45, Bernardo et al. teach "the document displayable by the web browser is an hypertext markup language (HTML) document" – col. 5, line 65 to col. 6, line 11.

6. As per claims 7-8, 32-33, Bernardo et al. teach "user site data structure/second data structure" - col. 9, lines 5-29; col. 10, lines 25-59; Bernardo et al. do not suggest: "the user site data structure is an extensible markup language (XML) document". Bowman-Amuah teaches dynamic web pages, web sites can be created – paragraphs 0256 and 0735; using XML, HTML in generating web pages – pars. 0708-0716.

7. As per claims 9, 22-23, 34, 47-48, Bernardo et al. teach wherein XML element types used in the first data structure and XML element types used in the user site data structure are defined in a shared document type definition (DTD) document. Bowman-Amuah teaches dynamic web pages, web sites can be created – paragraphs 0256 and 0735; using XML, HTML in generating web pages – pars. 0708-0716. Bowman-Amuah teaches XML and DTD – paragraph 0715. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention

to combine Bernardo et al.'s teaching with XML and DTD because the purpose of a DTD is to define the legal building blocks of an XML document. And XML provides an application independent way of sharing data. With a DTD, independent groups of people can agree to use a common DTD for interchanging data.

8. As per claims 10, 35, Bernardo et al. teach wherein a particular component included in the first arrangement of components is a component that is dynamically generated at a second web site – col. 10, lines 25-59.

9. As per claims 11 and 36, Bernardo et al. teach: "the modified arrangement of components includes the particular component, and the web site includes a link to the second web site for generating the particular component" - col. 10, lines 25-59; especially page 51-59.

10. As per claims 12 and 37, Bernardo et al. teach:

"creating a plurality of component data structures, each component data structure holding data indicating one or more properties of a component for the first arrangement of components" – col. 7, lines 10-67.

"the first data structures includes one or more references to one or more component data structures of the plurality of component data structures" – col. 7, lines 55-58; col. 10, lines 29-59.

"the user site data structure includes one or more references to one or more component data structures of the plurality of component data structures" – col. 8, lines 7-19; col. 10, lines 31-59.

11. As per claims 13 and 38, Bernardo et al. teach:

"creating a second data structure holding data indicating a second arrangement of components, the second arrangement associated with a second type of web site" – col. 9, lines 5-25.

In the specification, applicants have not defined explicitly the "second type of web site". However, Bernardo et al. teach an authorized user is able to modify an individual area or the web site or to modify all of the site areas – figs. 9 and 5; As a user modifies a site, new options are added or chosen etc... the identification process of associated/new templates will be created, new web pages or different type of web sites would be created – col. 7, lines 32-57.

12. As per independent claims 17 and 42, Bernardo et al. teaches:

"a method of building a web site" – the title; col. 1, lines 25-30.

creating a first data structure holding data indicating one or more adjustable properties of a component for a page for the web site - figs. 3-5; col. 7, lines 10-61; col. 9, lines 5-67.

presenting a user with a series of one or more user interfaces including controls for determining one or more values corresponding to the one or more adjustable properties - col. 8, line 34 to col. 9, line 18. (Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one); col. 7, lines 1-9.

receiving user input indicating the one or more values in response to user interaction with the controls on the series of one or more interfaces – figs. 4-11 (interfaces where a user can select options, the system will then use the user's chosen options to further the process of creating user's web site); col. 7, line 43 to col. 18, line 44.

in response to the user input, automatically performing the step of building the component in the web site based on the one or more values - figs. 3-5; col. 7, lines 10-61; col. 9, lines 5- 67.

wherein said step of building the component in the web site includes translating data in the second data structure to commands to cause creation within a database system of one or more database objects to support the component -- col. 7, line 55 to col. 8, line 32; col. 10, lines 25-59.

Bernardo et al. teach "the templates may comprise a database storing profiles, fields, forms, views, text, formulas, and other items." – col. 10, lines 27-29. Bernardo et al. also teach the creation or modification of templates – col. 4, lines 21-25; col. 11, lines

14-18. Since, the templates may comprise a database to store related objects, when new templates are created, at least a new database is created to store related objects.

13. As per claims 18, 43, Bernardo et al. do not suggest: "an extensible markup language (XML) document". Bowman-Amuah teaches dynamic web pages, web sites can be created – paragraphs 0256 and 0735; using XML, HTML in generating web pages – pars. 0708-0716.

14. As per claims 21 and 46, Bernardo et al. teach creating a second data structure holding data indicating the one or more values for the one or more adjustable properties of the component based on the user input – col. 8, lines col. 9, lines 5-29. However, Bernardo et al. do not suggest: "an extensible markup language (XML) document". Bowman-Amuah teaches dynamic web pages, web sites can be created – paragraphs 0256 and 0735; using XML, HTML in generating web pages – pars. 0708-0716.

15. As per claims 24 and 49, Bernardo et al. teach:
"wherein the component is generated at a second web site" - col. 9, lines 54-67, especially, line 65.

In the specification, applicants have not defined explicitly the "second type of web site". However, Bernardo et al. teach an authorized user is able to modify an individual area or the web site or to modify all of the site areas – figs. 9 and 5; As a user modifies

a site, new options are added or chosen etc... the identification process of associated/new templates will be created, new web pages or different type of web sites would be created – col. 7, lines 32-57.

16. As per claims 25 and 50, Bernardo et al. teach:

"the step of building the component in the web site comprises including a link to the second web site in the web site" -

Bernardo et al. teach that web site creator can modify or update web sites – figs. 4 and 9-12; col. 8, lines 34-61; col. 9, lines 5-29; Bernardo et al. teach "options may include choices regarding editing text, colors, graphics or other objects, as well as, choices regarding positioning of objects, creation of new objects, deleting objects, adding links to other sites, security provisions, and other choices." - col. 9, line 63 to col. 10, line 10. Thus, if a web site creator chooses to modify a web site to add a link to a second web site, the object will be created and saved in an appropriate database – col. 6, lines 16-18.

"the link includes data indicating the one or more values corresponding to the one or more adjustable parameters." – col. 10, lines 40-59 (especially, "For example, a link may include a uniform resource locator (URL) that may link to another web page" – col. 10, lines 52-54). URLs can be changed or are adjustable.

17. As per independent claim 51, Bernardo et al. teach:

a template holding data indicating a first arrangement of components, the first arrangement associated with a first type of web site – col. 7, line 31 to col. 8, line 34; col. 9, lines 1-29. (Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one).

presenting a user with a series of one or more user interfaces including controls for modifying the first arrangement of components - col. 8, line 34 to col. 9, line 18. (Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one); col. 7, lines 1-66.

receiving input from the user in response to user interaction with the controls on the series of one or more interfaces indicating a modified arrangement - figs. 4-11 (interfaces where a user can select options, the system will then use the user's chosen options to further the process of creating user's web site); col. 7, line 43 to col. 18, line 44.

in response to the input from the user, automatically building the web site based on the modified arrangement – col. 7, line 55 to col. 8, line 32; col. 9, lines 5-29; col. 10, lines 25-59. However, Bernardo et al. do not teach a special purpose operating system whose features and configuration are dictated by the web site wizard and supporting program components. Bowman-Amuah teaches individual pieces of the program written by the developer provided by the operating system to accomplish certain tasks – paragraph 0236; the client has multiple operating system configurations for client

machines – par. 0469; Typically part of the operating system, the Window System Services provide the base functionality for creating and managing a graphical user interface – detecting user actions, managing windows on the display, and displaying information in windows – par. 0627. Bowman-Amuah also teaches"Operating System Services are the underlying services such as multi-tasking, paging, memory allocation, etc., typically provided by today's modem operating systems. Where necessary, an additional layer or APIs may be provided to gain either operating system independence or a higher level of abstraction for application programmers." – par. 1978. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bernardo et al.'s with Bowman-Amuah's teachings because the web site creation wizard needs be supported by the operating system in order to run efficiently.

18. As per claim 52, Bernardo et al. teach "the templates may comprise a database storing profiles, fields, forms, views, text, formulas, and other items." – col. 10, lines 27-29. Bernardo et al. also teach the creation or modification of templates – col. 4, lines 21-25; col. 11, lines 14-18. Since, the templates may comprise a database to store related objects, when new templates are created, at least a new database is created to store related objects. Bernardo et al. also teach intranet and other networks – col. 5, lines 52-65. Microsoft Computer Dictionary – Fourth Edition defines "call" as "to establish a connection through a telecommunications network; To transfer program execution to some section of code (usually a subroutine) while saving the necessary information to allow execution to resume at the calling point

when the call has completed execution;" Bernardo et al. teach "call a separate database appliance on a local appliance network during the step of creating a database" – col. 13, lines 1-20 in which when a new template/area is created, an upload is needed to navigate associated graphics for the new template/area into the library; see also fig. 2, element 40.

19. As per claim 53, Bernardo et al. teach "send a request to a separate web site server appliance on a local appliance network during the step of building a web site" – col. 5, line 66 to col. 6, line 35.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 19, 30, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (USP 6185587), Bowman-Amuah (US 2003/0058277), and further in view of Brooke et al. (US 6748569).

20. As per claims 5, 19, 30, 44, Bernardo et al. and Bowman-Amuah do not teach XSLT. However, Brooke et al. teach XML server pages language – the title. Brooke et al. teach creating an extensible stylesheet language transformation (XSLT) document for forming a document displayable by a web browser process operated by the user – col. 6, lines 4-54. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bernardo et al.'s and Bowman-Amuah's teachings with Brooke et al. in order to advantageously allows web page developers and other content providers to switch from editing numerous markup language files to implement a change to creating data forms using scripts that retrieve data and style information from common sources where possible – col. 13, lines 60-64.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh Black

LINH BLACK
Examiner
Art Unit 2167

March 4, 2005

Luke S Wassum
Primary Examiner